

07 CRIM. 513

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JASON SIMS,

Defendant.

INDICTMENT
USDC SDNY
07 Cr. 513
ELECTRONICALLY FILED
DOC #: JUN 07 2007
DATE FILED:

COUNT ONE

The Grand Jury charges:

1. From at least in or about 2004, up to and including in or about April 2007, in the Southern District of New York and elsewhere, JASON SIMS, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly, did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JASON SIMS, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 500 grams and more of mixtures and substances containing a detectable amount of methamphetamine, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A).

Overt Act

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt act, among

JUDGE LYNCH

others, was committed in the Southern District of New York and elsewhere:

a. On or about February 20, 2007, JASON SIMS, the defendant, met with an undercover law enforcement officer working with the Drug Enforcement Administration in New York, New York to sell methamphetamine.

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

4. On or about February 20, 2007, in the Southern District of New York, JASON SIMS, the defendant, unlawfully, intentionally, and knowingly, distributed and possessed with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of methamphetamine.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C); Title 18, United States Code, Section 2.)

COUNT THREE

The Grand Jury further charges:

5. On or about March 15, 2007, in the Southern District of New York, JASON SIMS, the defendant, unlawfully, intentionally, and knowingly, distributed and possessed with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of methamphetamine.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C); Title 18, United States Code, Section 2.)

COUNT FOUR

The Grand Jury further charges:

6. On or about April 18, 2007, in the Southern District of New York, JASON SIMS, the defendant, unlawfully, intentionally, and knowingly, distributed and possessed with intent to distribute a controlled substance, to wit, 5 grams and more of methamphetamine.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(B); Title 18, United States Code, Section 2.)

FORFEITURE ALLEGATIONS

7. As a result of committing one or more of the controlled substance offenses alleged in Counts One, Two, Three, and Four of this Indictment, JASON SIMS, the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the violations alleged in Counts One, Two, Three, and Four of this Indictment, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the said violations, including but not limited to the following:

a. A sum of money in United States currency representing the amount of all proceeds obtained as a result of

the controlled substance offenses alleged in Counts One, Two, Three, and Four of this Indictment.

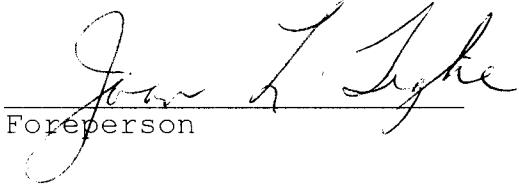
Substitute Asset Provision

8. If any of the above-described forfeitable property, as a result of any act or omission of the said defendant:

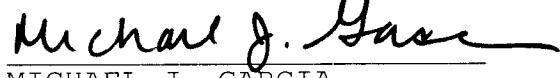
- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)



Foreperson



MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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INDICTMENT

07 Cr.

(Title 21, United States Code, Sections 846, 812, 841(a)(1), and 841(b)(1)(B) & (b)(1)(C); Title 18, United States Code, Section 2.)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL



Foreperson.

AC 6/7/07 Indictment filed. Case assigned to Judge Lynch.

